

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		<b>Docket Number (Optional)</b> 089498.0480
<p>First named inventor: Daniel J. Smith _____</p> <p>Application No.: 10/565,573 _____ Art Unit: 1793 _____</p> <p>Filed: February 26, 2007 _____ Examiner: B. M. Martinez _____</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Title: STABILIZATION AND IONIC TRIGGERING OF NITRIC OXIDE RELEASE</p> </div> <p>Attention: Office of Petitions  <b>Mail Stop Petition</b>          Commissioner for Patents          P.O. Box 1450          Alexandria, VA 22313-1450          FAX (571) 273-8300</p> <p style="text-align: center; margin-top: 20px;"><b>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282</b></p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.</p> <p style="text-align: center; margin-top: 20px;"><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b></p> <p><b>NOTE: A grantable petition requires the following items.</b></p> <ol style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995, and for all design applications; and</li> <li>(4) Statement that the entire delay was unintentional</li> </ol> <p><b>1. Petition Fee</b></p> <p><input checked="" type="checkbox"/> Small entity-fee \$ 810.00 (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Other than small entity-fee \$ _____ (37 CFR 1.17(m))</p> <p><b>2. Reply and/or fee</b></p> <p><b>A.</b> The reply and/or fee to the above-noted Office action in the form of <u>Reply and Amendment</u> (identify type of reply):</p> <p><input type="checkbox"/> has been filed previously on _____.</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p><b>B.</b> The issue fee and publication fee (if applicable) of \$ _____.</p> <p><input type="checkbox"/> has been paid previously on _____.</p> <p><input type="checkbox"/> is enclosed herewith.</p>		

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain, or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 10 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

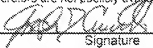
3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
\_\_\_\_\_  
Signature  
Joseph J. Crimaldi  
\_\_\_\_\_  
Type or Printed name  
Roetzel & Andress  
\_\_\_\_\_  
Address  
222 South Main Street; Akron, Ohio 44308  
\_\_\_\_\_  
Address

November 23, 2010  
\_\_\_\_\_  
Date  
41,690  
\_\_\_\_\_  
Registration Number, if applicable  
330-376-2700  
\_\_\_\_\_  
Telephone Number

Enclosures:

- ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by fax on the date shown below to the United States Patent and Trademark Office, at (571) 272-8300.

November 23, 2010  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature

Joseph J. Crimaldi

\_\_\_\_\_  
Typed or printed name of person signing certificate